<div align="center">**REMARKS/ARGUMENTS**</div>

Applicant thanks the Examiner for review of the present application. Claims 1 - 21 are now pending in the present application.

The Official Action of March 10, 2006, rejects all of the pending claims. Claims 1 - 14 and 18 - 21 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,789,215 to Rupp (hereinafter "the Rupp patent"). Claims 15 - 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Rupp patent in view of U.S. Patent Application Publication No. 2004/0010584 to Peterson (hereinafter "the Peterson publication"). Claims 19 - 21 are also objected to due to minor informalities.

Applicant has amended Claim 19 to cure the aforementioned informalities with respect to Claims 19 - 21. Applicant further provides the following remarks in response to the rejections set forth in the Office Action.

<div align="center">*Rejections Under 35 U.S.C. § 102(e)*</div>

The Office Action rejected Claims 1 - 14, and 18 - 21 under 35 U.S.C. § 102(e) as being anticipated by the Rupp patent. Applicant respectfully submits that the Rupp patent fails to teach or disclose all of the claim limitations of the rejected claims.

With respect to independent Claim 1, the Office Action claims that the Rupp patent discloses "[a] computer-implemented method of troubleshooting email gateway functionality with at least two modes of operation comprising the steps of: determining at least one setting of an email gateway; accepting external information entered an input device; performing at least one trouble shooting routine in at least one of said modes to evaluate the email gateway functionality; checking at least one setting of said email gateway based upon said external information; and displaying information resulting from said checking of at least one setting." (Internal citations omitted.) The Office Action claims that the Rupp patent also discloses independent Claims 5 and 9. Applicant submits that the Rupp patent does not teach or disclose all of the claim limitations of independent Claims 1, 5, and 9.

For example, the Office Action claims that the Rupp patent discloses "performing at least one troubleshooting routine in at least one of said modes to evaluate the email gateway functionality" in column 9, lines 21-33, a limitation found in independent Claims 1, 5 and 9.

However, the cited portion of the Rupp patent (reproduced below) relates to determining what software is installed, whether software needs to be upgraded, and whether the upgrade is performed successfully, but does not disclose performing <u>at least one troubleshooting routine</u> to evaluate <u>email gateway functionality</u> or how the performance of at least one troubleshooting routine is performed <u>in at least one of said modes</u>.

> The diagnostics manager 104 determines the hardware configuration and determines what software packages are installed on the computer and the versions of the installed software packages. In this example, the silent connection manager 306 is used to determine what software packages are to be upgraded or installed according to a pre-defined remediation configuration.

> After the silent connection manager 306 determines what software packages are to be upgraded and installed, the script manager 106 operates in conjunction with the software package manager (not shown) to load and execute selected scripts in a logical order, one after the other, until all required software packages are installed.

> Similarly, the Office Action states that column 9, lines 33-37 of the Rupp patent discloses "checking at least one setting of said email gateway based upon said external information," another limitation found in independent Claims 1, 5 and 9. However, the cited portion of the Rupp patent (reproduced below) relates to monitoring software checking and upgrading to ensure software is installed property, and has neither any relation to <u>checking settings</u> of an email gateway nor any relation to <u>externally entered information</u>, particularly externally entered information <u>related to troubleshooting the functionality of the email gateway</u>, as Claims 1, 5, and 9 have been amended to more clearly point out and distinctly claim the subject matter that Applicant regards as the invention.

> The process monitoring manager 108 monitors the remediation process, verifies that each software package was installed or upgraded properly, and writes the results of the remediation process to a log file.

> With respect to independent Claim 12, the Office Action claims that the Rupp patent discloses "[a]n email gateway diagnostic tool for a computer system, the email gateway diagnostic tool comprising: a script with at least two modes of operation capable of interacting with a computer system and a computer network, wherein said script includes routines in said modes and selects at least one routine in at least one of said modes to collect and test the configuration of an email gateway of said computer system and said computer network." (Internal citations omitted.) However, this section of the Rupp patent (reproduced below) does

not teach or disclose <u>collecting and testing</u> the configuration of an email gateway of the computer system and the computer network using a script with at least two modes of operation.

> The diagnostics manager 104 determines if there are problems with a computer configuration and if the problem can be fixed by the remediation system 102. For example, if a computer has trouble sending email, the diagnostics module 104 determines if the email software package requires an upgrade and tests the email server associated with the computer to determine if there are connectivity issues with the computer and the email server. The diagnostics manager 104 provides a description of the problem to the user and whether the remediation system 102 can fix the problem.

Accordingly, Applicant submits that the Rupp patent does not teach or disclose all of the claim limitations of Claims 1, 5, 9 and 12 and that such claims are in a condition for allowance. In view of the remarks presented above with respect to Claims 1, 5, 9 and 12, Applicant submits that pending dependent Claims 2 - 4, which depend from Claim 1, dependent Claims 6 - 8, which depend from Claim 5, dependent Claims 10 - 11, which depend from Claim 9, and dependent Claims 13 - 21, which depend from Claim 12, are in a condition for allowance for the reasons provided with respect to Claims 1, 5, 9 and 12. Applicant submits that the above remarks traverse the § 102(e) rejections.

Rejections Under 35 U.S.C. § 103(a)

The Office Action rejected Claims 15 - 17 under 35 U.S.C. § 103(a) as being unpatentable over the Rupp patent in view of the Peterson publication. Applicant respectfully submits that the Rupp patent and the Peterson publication, either alone or in combination, fail to teach or disclose all of the claim limitations of the rejected claims.

For example, the Office Action notes that the Peterson publication discloses a system in which agents monitor various testing sites in a computer network and that different error states and information regarding the different error states can be defined for each element in a network. The Office Action cites example errors where email messages fail to be delivered or received and further states, "[t]he collects and propagates information regarding receiving (FROM timeout) and sending (TO timeout) emails." Applicant respectfully submits that nothing in the Peterson publication discloses, and nothing is stated in the Office Action which explains how the Peterson publication teaches, that a troubleshooting routine would include separate collection and testing of a configuration depending upon the functionality or failure of functionality of an email gateway. Rather, the Peterson publication appears to simply disclose various error states,

but not the manner of collection or testing of a configuration as a result of a particular error state. Furthermore, the Peterson publication does not disclose a correlation between an error state and collection or testing of a configuration, nor does the Peterson publication describe performing further collection or testing actions as a result of identifying a particular error state, but merely that an error state is determined as a result of testing.

Conclusion

In view of the remarks presented above, Applicant submits that all of the pending Claims 1 - 21 are in condition for allowance. Accordingly, entry of the allowance of the application is respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper, such as the fees for a request for an extension of time. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

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CLT01/4829021v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JUNE 1, 2006.